

1 BILL NO. S-82-09- 45

2 SPECIAL ORDINANCE NO. S- 186-82

3 AN ORDINANCE approving a Contract  
4 between the Fort Wayne Water Utility  
5 and Huguenard Corporation for the  
construction of a water main system,  
in connection with the Board of Public Works.

7 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
8 FORT WAYNE, INDIANA:

9 SECTION 1. That a certain Contract dated September  
10 8, 1982 between the Fort Wayne Water Utility of the City of  
11 Fort Wayne, Indiana, by and through its Mayor and the Board  
12 of Public Works and Huguenard Corporation, for:

13 the construction of a water main system  
14 to service the Congressional Industrial  
Park, Section I;

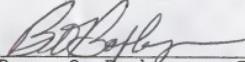
15 of which said Huguenard Corporation shall pay the entire cost  
16 and expense, all as more particularly set forth in said Contract,  
17 which is on file in the Office of the Board of Public Works  
18 and is by reference incorporated herein, made a part hereof  
19 and is hereby in all things ratified, confirmed and approved.  
20 Two copies of said Contract are on file in the Office of the  
21 City Clerk and made available for public inspection, according  
22 to law.

23 SECTION 2. That this Ordinance shall be in full force  
24 and effect from and after its passage and any and all necessary  
25 approval by the Mayor.



John D. Baum  
Councilmember

28 APPROVED AS TO FORM  
29 AND LEGALITY

30   
31 Bruce O. Foxberger, City Attorney  
32

Read the first time in full and on motion by Burns,  
seconded by Eisburt, and duly adopted, read the second time  
by title and referred to the Committee City Utilities (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,

DATE: 9-28-82 o'clock M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Burns,  
seconded by Bier, and duly adopted, placed on its  
passage. PASSED (EST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	—	—	—	—
<u>BRADBURY</u>	<u>✓</u>	—	—	—	—
<u>BURNS</u>	<u>✓</u>	—	—	—	—
<u>EISBART</u>	<u>✓</u>	—	—	—	—
<u>GiaQUINTA</u>	<u>✓</u>	—	—	—	—
<u>SCHMIDT</u>	<u>✓</u>	—	—	—	—
<u>SCHOMBURG</u>	<u>✓</u>	—	—	—	—
<u>SCRUGGS</u>	<u>✓</u>	—	—	—	—
<u>STIER</u>	<u>✓</u>	—	—	—	—
<u>TALARICO</u>	<u>✓</u>	—	—	—	—

DATE: 10-12-82

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION), (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. 5-186-82  
on the 12th day of October, 1982

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 13th day of October, 1982, at the hour of  
11:30 o'clock A.M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 18th day of October  
1982, at the hour of 9 o'clock A.M., E.S.T.

Win Moses Jr.  
WIN MOSES, JR. - MAYOR

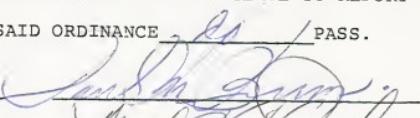
BILL NO. S-82-09-45

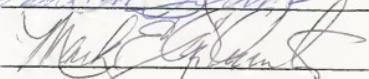
REPORT OF THE COMMITTEE ON CITY UTILITIES

WE, YOUR COMMITTEE ON City Utilities TO WHOM WAS REFERRED AN ORDINANCE approving a Contract between the Fort Wayne Water Utility and Huguenard Corporation for the construction of a water main system, in connection with the Board of Public Works

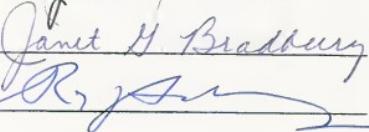
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE do PASS.

PAUL M. BURNS - CHAIRMAN 

MARK E. GIAQUINTA - VICE CHAIRMAN 

JAMES S. STIER 

JANET G. BRADBURY 

ROY J. SCHOMBURG 

CONCURRED IN  
DATE 10/2/82 CHARLES W. WESTERMAN, CITY CLERK

73-82-25  
9/8/82

CONTRACT NO. 8203

BOARD ORDER NO. 165 -82

WORK ORDER NO. 63583

THIS AGREEMENT, made and entered into this 8 day of September, 1982, by and between HUGUENARD CORPORATION, hereinafter called CONTRIBUTOR, and the FORT WAYNE WATER UTILITY of the City of Fort Wayne, Indiana, by and through the Mayor, and the BOARD OF PUBLIC WORKS of said City, hereinafter called UTILITY, WITNESSETH:

That the said CONTRIBUTOR and the said UTILITY for the considerations hereinafter named, agree as follows:

1. That the UTILITY and the CONTRIBUTOR shall proceed dependent upon procurement of materials and labor and with reference to other similar work of said parties to construct water main system including all necessary fittings to serve Congressional Industrial Park, Section I, as follows:

On Congressional Parkway from the existing 12" water main 660± feet west of Goshen Road, westward 590± feet; also on Banner Drive from Congressional Parkway to Independence Drive.

Said water main system to include: 1130± LF of 12" water main.

2. That said water main system shall be constructed according to the standards, plans, and specifications of the UTILITY or approved by the UTILITY, which are on file in the office of the Engineering Department of the UTILITY, and by reference made a part hereof; and the said UTILITY shall furnish water thru said system, when completed, in accordance with rules and regulations of said UTILITY and the laws, ordinances and regulations applicable thereto, now in force, or that may hereafter be adopted.

It is, however, understood and agreed that the UTILITY will not furnish water thru any part or parts of the water main covered hereunder unless and until the entire system shall have been tested, disinfected, and placed in service and accepted by said UTILITY.

3. It is understood and agreed by and between the parties of this contract that the CONTRIBUTOR shall furnish all materials, contractual labor and equipment for the construction of said water main system through Geiger Development, Inc. at a cost of nineteen thousand two hundred thirty-two dollars and no cents (\$19,232.00), and that said CONTRIBUTOR shall pay the UTILITY upon execution of this contract for the necessary labor for inspecting, pressure testing, disinfection, and engineering at a cost of one thousand thirty-five dollars and no cents (\$1,035.00). Therefore, the total cost of said water main system is twenty thousand two hundred sixty-seven dollars and no cents (\$20,267.00) and which amount is the contract price of this AGREEMENT.
4. The UTILITY may approve the extension of additional water mains from the water mains covered in this Contract without incurring any financial obligations to the CONTRIBUTOR under this Contract.

WECONT  
JOB G  
remove 9/20/82

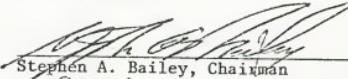
5. It is further understood and agreed that, upon completion of said water main system, the CONTRIBUTOR or his contractor shall file a COMPLETION AFFIDAVIT and a MAINTENANCE BOND with the Board of Public Works of the City. The MAINTENANCE BOND shall run for a minimum period of one (1) year from the date of the acceptance of the said system by the CITY and shall be in the minimum amount of four thousand eight hundred dollars and no cents (\$4,800.00). After receipt of the COMPLETION AFFIDAVIT and MAINTENANCE BOND, the UTILITY will make final inspection of the project. Upon finding the project to be acceptable and in full compliance with the standards and specifications of the UTILITY the Board of Public Works will issue a letter of acceptance of the project to the CONTRIBUTOR. Upon issuance of the acceptance letter, and in accordance with the terms of that letter, the water main and fittings installed under this contract shall form and be a part of the water works system of said UTILITY, and all rights, title, and interest whatsoever in said water main system shall become and remain in the City of Fort Wayne, Indiana.

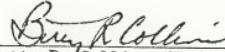
WITNESS THE HANDS AND SEALS OF SAID PARTIES the day and year are first above written.

CITY OF FORT WAYNE, INDIANA

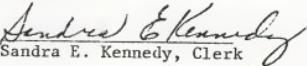
BY:   
Win Moses, Jr., Mayor

BOARD OF PUBLIC WORKS:

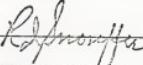
  
Stephen A. Bailey, Chairman  
  
Roberta Anderson Staten, Member

  
Betty R. Collins, Member

ATTEST:

  
Sandra E. Kennedy, Clerk

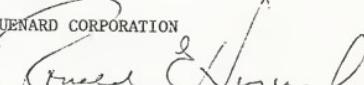
APPROVED AS TO FORM AND LEGALITY:

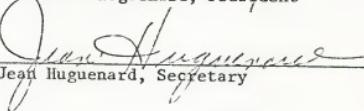
  
ASSOCIATE CITY ATTORNEY

Prepared by:  
Terry L. Atherton P.E.  
Chief Water Engineer

CONTRIBUTOR:

HUGUENARD CORPORATION

BY:   
Ronald E. Huguenard, President

BY:   
Jean Huguenard, Secretary

ACKNOWLEDGMENT

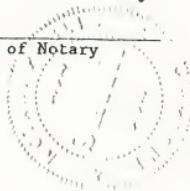
STATE OF INDIANA)  
                     )     SS:  
COUNTY OF ALLEN )

BEFORE ME, a Notary Public, in and for said County and State, this 8<sup>th</sup> day of September, 1982, personally appeared the within named WINFIELD C. MOSES, JR., Mayor of the City of Fort Wayne; STEPHEN A. BAILEY, ROBERTA ANDERSON STATION, and BETTY R. COLLINS members of the Board of Public Works, City of Fort Wayne, Indiana; and SANDRA E. KENEDY Clerk of the Board of Public Works, City of Fort Wayne, Indiana, to me personally known, who being by me duly sworn said that they are respectively the Mayor of the City of Fort Wayne, the Members and Clerk of the Board of Public Works of the City of Fort Wayne, Indiana, and that they signed said instrument on behalf of the FORT WAYNE WATER UTILITY of the City of Fort Wayne, Indiana, with full authority so to do and acknowledged said instrument to be the voluntary act and deed of said Department of said City for the uses and purposes therein set forth.

IN WITNESS WHEREOF, hereunto subscribed my name, affixed my official seal.

*Sharon J. Helmsing*  
Notary Public

Type or Print Name of Notary



My Commission Expires:

SHARON J. HELMSING, Notary Public  
Resident of Allen County

My Commission Expires July 6, 1986

WECONT  
JOB Q

ACKNOWLEDGMENT

STATE OF INDIANA:

SS:

COUNTY OF ALLEN:

BEFORE ME, a Notary Public, in and for said County and State, this 31st day of August, 1982, personally appeared the within named Ronald E. Huguenard and Jean Huguenard, who being by me first duly sworn upon their oaths say that they are the President and Secretary respectively, of the Huguenard Corporation and as such duly authorized to execute the foregoing instrument and acknowledged the same as the voluntary act and deed of Huguenard Corporation for the uses and purposes therein set forth.

IN WITNESS WHEREOF, hereunto subscribed my name, affixed my official seal.

Suzanne Voelker  
NOTARY PUBLIC

SUZANNE VOELKER  
Type or Print Name of Notary

MY COMMISSION EXPIRES:

11-18-84

TITLE OF ORDINANCE Water Contract 8203

DEPARTMENT REQUESTING ORDINANCE Board of Public Works 1-82-09-45

SYNOPSIS OF ORDINANCE Contract between the Fort Wayne Water Utility and Huguenard Corporation for the construction of a water main system to serve Congressional Industrial Park, Section I. Huguenard Corporation shall furnish all materials, contractual labor and equipment for the construction of said water main system through Geiger Development, Inc. at a cost of \$19,232.00 and they shall also pay the Utility upon execution of this contract for the necessary labor for inspecting, pressure testing, disinfection, and engineering at a cost of \$1,035.00

EFFECT OF PASSAGE water main to serve the area

EFFECT OF NON-PASSAGE \_\_\_\_\_

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) -

ASSIGNED TO COMMITTEE \_\_\_\_\_